



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

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Writer Direct: (518) 776-2609

June 10, 2020

Honorable Mae A. D'Agostino
United States District Judge
United States District Court
Northern District of New York
James T. Foley - U.S. Courthouse
445 Broadway, Room 509
Albany, NY 12207-2924

Re: *National Rifle Association of America v. Cuomo et. al.*
Northern District of New York
20-CV-0385 (MAD)(DJS)

Dear Judge D'Agostino:

I write to request leave to file a motion for judgment on the pleadings pursuant to Section (2)(A)(i) of your Individual Rules and Practices. My clients' proposed motion for judgment on the pleadings will focus on two arguments. First, that the Plaintiff lacks standing to assert the claims in the First Amended Complaint and, second, that the claims against the State Agency defendants are barred by the Eleventh Amendment to the United States Constitution. This motion will be dispositive in nature. As a result, judicial resources (and the resources of the parties) will be saved by addressing these arguments before discovery commences in earnest.

For these reasons, I respectfully request leave to file a motion for judgment on the pleadings.

Thank you for your consideration of this matter.

June 10, 2020

Page 2

Respectfully yours,

s/ Andrew W. Koster

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cc: **VIA ECF**

Hon. Daniel J. Stewart
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